

AMENDED

Serial No. 59144

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. AUG 17 1993
 Returned to applicant for correction. SEP 24 1993
 Corrected application filed. JAN 10 1994 Map filed. JAN 10 1994

The applicant. RUBY LISTER
 P.O. Box 402 of Pioche
 Street and No. or P.O. Box No. City or Town
 Nevada 89043 hereby make application for permission to change the
 State and Zip Code No. Place of Use
 Point of diversion, manner of use, and/or place of use
 of water heretofore appropriated under Application 54430
 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
 identify right in Decree.

1. The source of water is. underground
 Name of stream, lake, underground spring or other source.
 2. The amount of water to be changed. 6.0 cfs
 Second feet, acre feet. One second foot equals 448.83 gallons per minute.
 3. The water to be used for. irrigation
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
 4. The water heretofore permitted for. irrigation
 Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
 5. The water is to be diverted at the following point. within the NW1/4 of the NE1/4
 Describe as being within a 40-acre subdivision of public survey and by course and
 of Sec. 21 T2N, R67E, MDB&M; or
 from a point from which the NW corner of said Sec. 21 bears N 70°
 distance to a section corner. If on unsurveyed land, it should be stated. 52'W a distance of 3111.91 feet.
 Point of Diversion is the same as 54430 & 49671.
 6. The existing permitted point of diversion is located within. Same- does not apply to either
 If point of diversion is not changed, do not answer.
 49671 or 54430

7. Proposed place of use. NW1/4 NE1/4, NE1/4 NE1/4, SW1/4NE1/4, SE1/4 NE1/4,
 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. SW1/4NW1/4
 Sec. 21 and the SW1/4 SW1/4;
 SE1/4 SW1/4, NW1/4 SW1/4, and the NE1/4 SW1/4 of Sec. 22, all within
 T2N, R67E, MDB&M, Lincoln County, Nevada. 360 acres total
 8. Existing place of use. See attached
 Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
 manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from. Jan 1-st to December 31-st of each year.
 Month and Day Month and Day
 10. Use was permitted from. Jan 1-st to December 31-st of each year.
 Month and Day Month and Day
 11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
 specifications of your diversion or storage works.) Well, pump, casing, and piping
 State manner in which water is to be diverted, i.e. diversion structure,
 utilized to service a sprinkler pivot type system.
 ditches, pipes and flumes, or drilled well, etc.
 12. Estimated cost of works. \$30,000
 13. Estimated time required to construct works. 2 years

14. Estimated time required to complete the application of water to beneficial use..... 4 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Application will cover irrigation to lands covered by D.L.E.
application and acquisition of 40 acre trac obtained in private
purchase. This application 59144 is filed to change the P.O.D.
under application 54430. Application 54430 was filed to change
the P.O.D. under application 49671. Application 49671 was filed
to irrigate 320 acres of DLE land.

By..... s/ Philip C Hulse
Philip C. Hulse
P.O. Box 3450
Paharump, Nevada 89041

Compared..... jv/ gkl cl/cms

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 54430 is issued subject to the terms and conditions imposed in said Permit 54430 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 320.0 acres within the proposed place of use.

If this permit is withdrawn or cancelled, the water will revert to the source and not the base right.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.4 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 1,280.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... July 24, 1999

Proof of completion of work shall be filed before..... August 24, 1999

Application of water to beneficial use shall be made on or before..... July 24, 2002

Proof of the application of water to beneficial use shall be filed on or before..... August 24, 2002

Map in support of proof of beneficial use shall be filed on or before..... August 24, 2002

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this 24th day of July

Certificate No..... Issued..... A.D. 19 97

Abrogated By..... per 63199 2.5 cfs - cut 2.228 6/17/03
per 63200 2.5 cfs - cut 2.228 6/17/03
per 65639 0.90
R. Michael Turnipseed, P.E.
State Engineer

Item No. 8

NW1/4 NE1/4, NE1/4 NE1/4, SW1/4NE1/4, SE1/4 NE1/4, within Sec. 21 and the NW1/4 NW1/4, SW1/4 NW1/4, SE1/4 NW1/4 NW1/4 SW1/4, and the NE1/4 SW1/4 Sec 22, all within T2N, R67E MDB&M Lincoln County, Nevada. NOTE: Point of Diversion agrees with with point of diversion under application 54430 360 acres, with 320 acres irrigable unter 54430. Use map under 54430. to illustrate existing Point of diversion.